



City of **GREENSBORO** *North Carolina*

Proposed Entertainment Facility Use Ordinance

Presentation to the City Council Entertainment Facility Use Ordinance Review Committee

November 15, 2012





Why We are Here

- From 2009-2012, there were a series of high profile shootings at nightclubs that aroused public/police concern
- Police concerns regarding the behavior of site security and manager/owner willingness to address problems
- Inability to make acceptable progress through negotiation
- Make clubs safer for patrons by requiring owners/managers to implement reasonable security measures
- *Not* intended to restrict free enterprise or place undue hardship on club owners





Establishments Affected

- Entertainment facilities with an occupancy capacity of 150 or more operating after 9 pm, at which alcohol is sold, served or consumed, and which includes dancing or live entertainment
- Sexually-oriented entertainment businesses after 9 pm regardless of occupancy level
- Facilities with an occupancy capacity of 150 persons or more at which dancing or live entertainment is conducted after 9 pm for persons under 21 years of age, regardless of alcohol being sold





The Problem

- Since 2010:
 - 6,346 calls for service to 71 businesses
 - At least 3 murders, 59 aggravated assaults and 84 total crimes against persons
 - At least 403 property crimes
- Parking lot violence often follows patron 'dumping'
- Lack of cooperation, and numerous instances of interference with criminal investigations, destruction of evidence, and denial of serious crimes
- Limited local authority to hold owners accountable





Club Touch

- A haven for criminal activity

From January 28, 2008 to December 31, 2008 Guilford Metro Communications received numerous calls for service including affray, disorderly subjects, assault, narcotics, robbery, suspicious activity, six calls for burglary, and four calls reporting a discharge of a firearm.

From January 1, 2009 to December 31, 2010 Guilford Metro Communications received numerous calls for service including disorderly subjects, burglary, larceny, narcotics, suspicious activity, and four calls reporting a discharge of a firearm.

From January 1, 2010 to October 19, 2010 Guilford Metro Communications received numerous calls for service including affray, domestic disputes, burglary, larceny, narcotics, disorderly conduct, stabbing or gunshot wounds and two calls for discharge of a firearm.





Club Touch

The undersigned, T.B. Cole, being duly sworn, does hereby state:

1. On October 16, 2010, I was assigned to normal patrol duties in the area of Greensboro, NC.
2. On the above mention date I was contacted by Guilford Metro Communications in reference to shots fired at Touch, 2803 Patterson Street, Greensboro, NC.
3. I responded and spoke with several employees working as security at Touch who were stationed at the front door. Security advised no one was shot, and was uncooperative with me.
4. When I attempted to enter the business to reach the victims, employee Erica Leggett, working as security, advised I could not enter the business. I issued verbal commands to Leggett to move away from the door. When she failed to cooperate I arrested Leggett for resist, delay, and obstruct an officer in the performance of his duties.
5. I observed two patrons with gunshot wounds lying on the floor of a small closet inside the business.





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North Carolina

LAX

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File Edit View Window Help

Front Door - 11/07/2010 01:58:59





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North Carolina

LAX

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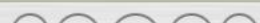
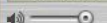
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Front Door - 11/07/2010 02:14:31



YOUR NIGHT WILL NEVER BE THE SAME

00:00:39





Greensboro Events Forum

- Security Guard seriously injured in shooting





Greensboro Events Forum

- Security Guard seriously injured in shooting





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Kave Adult Lounge



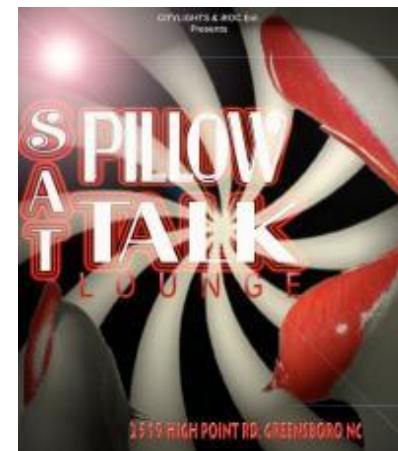
Partnering to fight crime for a safer Greensboro





Pillow Talk Lounge

- GPD/ABC officers in parking lot – unaware of inside shooting that just occurred
- Observe patrons rushing from nightclub
- Observe suspect with firearm, give chase, recover firearm
- Victim reports assault from High Point Regional Hospital





History of this Proposed Ordinance

- Action to implement an ordinance began in 2010
- Previous drafts met with strong opposition from owners
 - Too restrictive to remain profitable
 - Unnecessary, since nuisance abatement alternative exists
 - New licensing/appeals process unnecessary/burdensome
 - Too much power/control with police chief
- Proposed draft is responsive to club owner concerns
 - Shifts focus to land use requirements
 - Uses existing licensing/appeals system
 - Police role minimized to plan review and violation reporting





Key Provisions of the Ordinance

- Procedures in Chapters 4, 10, and 13 of City Code of Ordinances still apply
- Requires owners to obtain licenses to operate through the Planning and Community Development Department (P&CD)
- Implements a Security Plan Manual
 - Establishes staffing levels for security personnel
 - Requires security personnel be licensed
 - Directs owners to prepare a security plan
 - Identifies persons to be contacted in case of emergency
- Levies a fee to defray costs of processing application





License Application Process

- Applicants submit required entertainment facility use documents and processing fee to Planning and Community Development
- Planning Director and Greensboro Police review application and security plan, conduct background checks, and inspect premises
 - If all in order, license granted within 30 days
 - Applicant notified in writing if license denied
 - If denied, address problems and resubmit or appeal
- Process is completely separate from ABC permitting process





Enforcement, Review and Appeal

- Police review security plan to ensure compliance
 - If all in order – no action
 - In violation – Official notice of violation reported to owner through P&CD
 - Remedies defined in the LDO

- Appeals:
 - Board of Adjustment
 - Superior Court





Expected Benefits

- A reduction in crime, physical harm and risk
- A decrease in police calls for service, allowing officers to focus on other community problems
- A means for the City to more easily address problem entertainment venues by creating local governmental authority
- Promote safer venues that can attract more patrons and enhance positive perceptions of Greensboro night life.





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